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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 BRENT FOSTER,

11 Petitioner,

12 vs.

13 D.W. NEVEN, *et al.*,

14 Respondents.  
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Case No. 2:14-cv-00498-APG-GWF

**ORDER**

17 This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, filed by  
18 a Nevada state prisoner. On December 15, 2014, this court granted petitioner's motion for counsel and  
19 appointed the Federal Public Defender to represent petitioner in this action (Dkt. #7). On January 14,  
20 2015, Melanie Gavisk of the Federal Public Defender's Office appeared on behalf of petitioner (Dkt.  
21 #9). The court now sets a schedule for further proceedings in this action.

22 **IT IS THEREFORE ORDERED** that counsel for petitioner shall meet with petitioner as soon  
23 as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in  
24 cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential  
25 grounds for habeas corpus relief in petitioner's case; and © advise petitioner that all possible grounds  
26 for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely  
27 result in any omitted grounds being barred from future review.  
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1       **IT IS FURTHER ORDERED** that petitioner shall have **one hundred twenty (120) days** from  
2 the date of this order to **FILE AND SERVE** on respondents an amended petition for writ of habeas  
3 corpus, which shall include all known grounds for relief (both exhausted and unexhausted).

4       **IT IS FURTHER ORDERED** that respondents shall have **thirty (30) days** after service of an  
5 amended petition within which to answer, or otherwise respond to, the amended petition. If petitioner  
6 does not file an amended petition, respondents shall have **thirty (30) days** from the date on which the  
7 amended petition is due within which to answer, or otherwise respond to, petitioner's original petition.

8       **IT IS FURTHER ORDERED** that if and when respondents file an answer, petitioner shall  
9 have **thirty (30) days** after service of the answer to file and serve a reply.

10       **IT IS FURTHER ORDERED** that any state court record exhibits filed by the parties herein  
11 shall be filed with an index of exhibits identifying the exhibits by number or letter. The CM/ECF  
12 attachments that are filed shall further be identified by the number or numbers (or letter or letters) of  
13 the exhibits in the attachment.

14       **IT IS FURTHER ORDERED** that the parties **SHALL SEND** courtesy (paper) copies of all  
15 exhibits presented in support of the amended petition and the response to the amended petition to the  
16 **Reno** Division of this court. Courtesy copies shall be mailed to the Clerk of Court, 400 S. Virginia St.,  
17 Reno, NV, 89501, and directed to the attention of "Staff Attorney" on the outside of the mailing address  
18 label. Additionally, in the future, all parties shall provide courtesy copies of any additional exhibits  
19 submitted to the court in this case, in the manner described above.

20       Dated: January 21, 2015.

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23       UNITED STATES DISTRICT JUDGE  
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